



Certificate of Public Convenience and
Necessity Application

Kent County

Brenford Road



A Middlesex Water Company Affiliate

January 5, 2016

Mr. Kevin Neilson
Public Service Commission
861 Silver Lake Blvd.
Suite 100
Dover, DE 19904

Re: CPCN Application – Brenford Road

Dear Mr. Neilson;

Enclosed you will find the CPCN application for Brenford Road located in Kent County, Delaware.

One original copy the application has been included. A check payable to the Public Service Commission in the amount of \$300.00 has also been included for the application fee. If I can be of further assistance upon your review, please do not hesitate to contact me at 302-747-1308.

Respectfully,

A handwritten signature in black ink, appearing to read "J. C. Cuccinello", is written over a light blue horizontal line.

Joseph C. Cuccinello
CPCN Coordinator
Tidewater Utilities, Inc.

cc: Mr. Grover P. Ingle, SFMO w/enclosures
Mr. Ed Hallock, DPH w/enclosures
Mr. Stewart Lovell, DNREC w/enclosures
Mr. Andrew Jakubowitch, Kent County w/enclosures

"Southern Delaware's Premier Water Company Since 1964"

Tidewater Utilities, Inc. 1100 South Little Creek Road, Dover, DE 19901 www.tuiwater.com
(800) 523-7224 (302) 734-7500 Tel. (302) 734-9297 Fax

**APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY REQUIRED
TO BEGIN OR EXPAND THE BUSINESS
OF A PUBLIC WATER UTILITY**

BEFORE THE PUBLIC SERVICE COMMISSION

Application Fee \$300 for filing each extension to a CPCN
 \$750 for filing each original application for new water utility 26 Del. C. §114(a)

This form of application must be filed for each new and expanding water system pursuant to 26 Del. C. §203C.

WATER UTILITIES: BRENFORD ROAD

1. Basis for application:

- ☐ a. Water in the proposed service area does not meet the Regulations Governing Public Drinking Water Systems of the State Board of Health for human consumption; {26 Del. C., §203C (d)(2)(a)}; or
- ☐ b. Water supply in the proposed service area is insufficient to meet the projected demand; 26 Del. C., §203C (d)(2)(b)}; or
- ☐ c. The applicant is in possession of a signed service agreement with the developer of a proposed subdivision or development, which subdivision or development has been duly approved by the respective county government; {26 Del. C., §203C (e)(1)(a)}; or
- ☒ d. The applicant is in possession of a petition signed by all of the parcel owners of the proposed territory to be served; {26 Del. C., §203C (e)(1)(b)}; or **Exhibit A**
- ☐ e. The applicant is in possession of a duly certified copy of a resolution from the governing body of a county or municipality requesting the applicant to provide service to the proposed territory to be served; {26 Del. C., §203C (e)(1)(c)}.

2. To obtain a Certificate of Public Convenience and Necessity ("CPCN") to provide adequate water service to customers and meet the Regulations Governing Drinking Water Standards of the State Board of Health for human consumption {26 Del. C., §203C(a)}.

3. Tidewater Utilities, Inc. requests an informal fact finding procedure during review of application.

4. (a.) Full legal name and address of Applicant:

Tidewater Utilities, Inc.
1100 South Little Creek Road
Dover, Delaware 19901

(b.) Full name of the Utility's designated representative:

Joseph C. Cuccinello
Emily R. Opdyke

(c.) Phone no: 302-734-7500 X1014 or X1012

(d.) Fax no: 302-734-9297

(e.) Email address: jcuccinello@Tuiwater.com or eopdyke@tuiwater.com

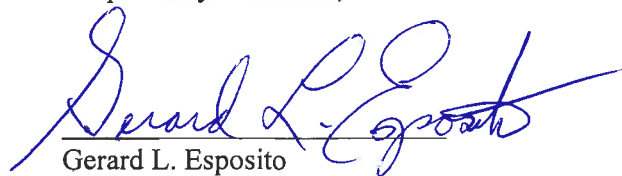
5. Supporting documentation required by 26 Del. C. §203C(e)(1), including evidence that all landowners of the proposed territory have been notified of application: **Exhibit B**

6. A complete list of county tax map parcel number(s) for the area covered by the application: **Exhibit C**

7. A complete list of county tax map parcel number(s) with corresponding names and addresses of property owners and a copy of the tax map(s) for the area: **Exhibit C**

8. The Applicant hereby certifies that the extension will satisfy the provisions of 26 Del. C. §403C, including:
- (a.) The Applicant is currently furnishing water to its present customers in Delaware in such a fashion that water pressure at every house supplies is at least 25 psi at all times at the service connection.
 - (b.) The Applicant shall furnish water to the house or separate location of each new customer in the Delaware at a pressure of at least 25 psi at each location or house at all times at the connection while continuing also to supply each old customer at a pressure of at least 25 psi at each house at all times at the service connection.
 - (c.) The Applicant is currently not subject to a finding by the appropriate federal or state regulatory authority that we have materially failed to comply with applicable safe drinking water or water quality standards; and
 - (d.) The Applicant is currently not subject to any Order issued by the Commission finding that Tidewater Utilities, Inc. has materially failed to provide adequate or proper safe water services to existing customers.
9. Copies of petitions signed by landowners showing all of the parcel owners of the proposed territory to be served agree with the filing of a CPCN to permit Applicant to provide them with public water. **Exhibit A**
10. Plan of service for the proposed service areas covered by this application: **Exhibit D**
11. (a.) A copy of the application must be sent to State Fire Marshall, Public Health Department, Department of Natural Resources and County Engineering/Utility.
- 1.) The current status of such application is: **Sent**
 - (b.) The Applicant provides the following additional information with this application;
 - 1.) A corporate history including dates of incorporation, subsequent acquisitions and/or mergers, **On PSC File**
 - 2.) A chart, which depicts the inter-company relationships, **On PSC File**
 - 3.) A map identifying all areas, including all towns, cities, counties and other governments subdivisions to which service is already provided, **On PSC File**
 - 4.) All copies of Applicant's annual reports to stockholders and that of its subsidiaries, and parent for the last two years, **On PSC File**
 - 5.) Applicant's audited financial statements, 10K's and all proxy material for the last two years, **On PSC File**
 - 6.) Any additional information required by PSC Staff will be made available on request.

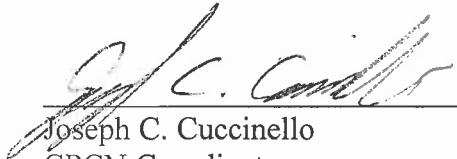
Respectfully submitted,



Gerard L. Esposito
President

Certification of Landowner Information Accuracy

By submitting this application, Tidewater Utilities, Inc. hereby certifies that we have reviewed the appropriate tax or land record documents; and that according to those documents, the landowners identified in the parcel lists are the landowners of record and that the petitions contained in this application have been signed by the landowners of record.



Joseph C. Cuccinello
CPCN Coordinator

EXHIBIT

A

PETITION FOR INCLUSION

Tidewater (TUI) – Water Petition

1-877-720-9272

www.tuiwater.com

PETITION FOR INCLUSION IN TIDEWATER UTILITIES, INC. WATER SERVICE TERRITORY

In accordance with 26 Delaware Code 203-C., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the water service territory of Tidewater Utilities, Inc. I/We understand that all of the property owners must sign this petition in order for Tidewater Utilities, Inc to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide water service to the following property/properties

Tax Parcel Number(s): 3-00-27.00-01-41.07

Property Owner(s): INTEGRATED BUSINESS RESOURCES INC.

Mailing Address: 508-N DUPONT HWY DOVER DE 19901

Property Address: 2759- BRENFORD RD, SMYRNA DE 19977

Owner's Signature(s): ☒ [Signature]

Date: NOV 18, 2015

Print Name: ☒ NAUMAN MATEED
(PRESIDENT)

Phone #: 302-678-4520

Owner's Signature(s): ☒ _____

Date: _____

Print Name: ☒ _____

Phone #: _____

Email Address: IBR451 @ GMAIL.COM

I UNDERSTAND THAT BY SIGNING THIS PETITION MY PROPERTY MAY HAVE TO REMAIN IN TIDEWATER UTILITIES, INC. SERVICE TERRITORY PERMANENTLY. I ALSO UNDERSTAND THAT IT MAY AFFECT MY ABILITY TO OBTAIN A PERMIT FOR A NEW WELL. IF YOU HAVE ANY QUESTIONS, COMMENTS, OR CONCERNS, PLEASE CONTACT THE PUBLIC SERVICE COMMISSION AT (302) 726-7500 (in Delaware, call 800-282-8574).

P-15-0009



STATE OF DELAWARE

PUBLIC SERVICE COMMISSION
861 SILVER LAKE BLVD.
CANNON BUILDING, SUITE 100
DOVER, DELAWARE 19904

TELEPHONE:
FAX:

(302) 736-7500
(302) 739-4849

November 24, 2015

Jerry Esposito
Tidewater Utilities, Inc.
1100 South Little Creek Road
Dover, DE 19901

Subject: 2759 Brenford Road Smyrna, DE 19977

Dear Mr. Esposito:

The Commission has received a copy of a letter from Mr. Nauman Majeed requesting Artesian Water Company, Inc. ("Artesian") to abandon its Certificate of Public Convenience and Necessity ("CPCN") at 2759 Brenford Road Smyrna, DE 19977 in order to allow Tidewater Utilities, Inc. ("Tidewater" or "Company") to provide water service to the property. Staff accepts the letter as a request to allow the Company to provide water service to the property prior to Tidewater receiving a CPCN for the property. The letter indicates that the well is failing and the house is in urgent need of an alternative water supply.

I understand that the subject property is currently in a CPCN area of Artesian. I also understand that Artesian is in the process of abandoning its CPCN at this property and Tidewater is currently completing the work needed to submit an application for a CPCN for this property.

Because the property owners are in immediate need of water service, Tidewater has sought permission to serve this property prior to the Commission's approval of a CPCN. Commission Staff has reviewed the letter from the property owners, and Tidewater's submission of the petition for water service signed by the property owner. Given these factors, and that the completed application cannot be submitted and a full review of the application cannot be completed in time to meet the needs of the customer, in this case Commission Staff will not seek from the Commission sanctions against Tidewater for providing water services to this specific property without an approved CPCN. This agreement by Commission Staff is with the understanding that should the Commission deny the requested CPCN, Tidewater must immediately discontinue all water services to the property. Commission Staff is hesitant to

permit this temporary accommodation, but recognizes the unusual and pressing circumstances of the property owner.

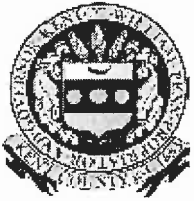
If there are any questions, please contact me at (302) 736-7500.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Howatt', with a long horizontal flourish extending to the right.

Robert Howatt
Executive Director

cc: Chair and Commissioners
File



KENT COUNTY, DELAWARE

555 Bay Road, Dover, Delaware 19901-3615

(302) 744-2300 -- FAX (302) 736-2279

"Serving Kent County With Pride"

PROPERTY INFORMATION

Planning and Building Permits Information

Reference # KH KENTON HUNDRED **Card # 1 of 1**

Location ID 57234 **Map Number** 3-00-02700-01-4107-00001

Tax ID 64171 **Deed BVP** D 3668 0042

Parcel ID 3995 **Property Code** P - PROPERTY

Current Owner INTEGRATED BUSINESS RESOURCES,
508 N DUPONT HWY
DOVER, DE 19904

Property Location 2759 BRENFORD RD
SMYRNA, DE 19977

Zoning AC

Acres 3.90

Additional Owner

Sub-Division

Sales History		Liv.Sq.Ft		1,344.0000
Date	Price	Assessment		Total Rooms
3/26/07	0	Land	10,900	Bedrooms
0/00/00	0	Buildings	13,200	Full Bath
		Total	24,100	Half Bath

Base Tax Due	.00	Last Billing Detail	History	Farm Info
Tax Penalty	.00			
Total Tax Bal.	.00			
Sewer Balance	.00	Sewer Account #	12753	
Neighborhood #	00300	Coordinates	0443770 E 0456440 N	
Land Use		Lot Dimensions	0000002.90	
Living Units		School District	14	SMYRNA
Class	Residen	Fire District	45	CLAYTON
Plat Book Pg		Sewer District	21	GARRISONS LAKE V
Topography	Level	Ambulance District	64	SMYRNA AMBULANCE
Street or Road	Paved	Trash District		
Fronting	Residen	Light District		
Improvement	MANUF HM	Commissioner Dist	1ST	

Tax Ditches

NONE

IMPROVEMENT KEY**MANUF HM** Manufactured Home**MANUFCC** Manufactured Home Class C Assessment**MNFHMRT** Manufactured Home Retired Title**Property Description**

N. SD. CO. RD. #42,
3.8703 A.
2759 BRENFOR ROAD

Year Built 1995**Type** MANUFHM **Energy Adj.****Style****Fire Places****Design**

	Type	Percentage	Type	Percentage
Ext. Walls		0		0
Roof Cover		0		0
Floor Cover		0		0
Heat/Cool		0		0
Plaster Int.		0		
Foundation				
Sub-floor				

	Y/N	Unfinished	Basement Living Area	Rec Room
Basement		0	0	0

	Type	Sq.Feet	Wall	Floor
Garage 1		0		
Garage 2		0		
Bas Gar		NO DATA	NO DATA	NO DATA
Porch 1	NO DATA	0		
Porch 2	NO DATA	0		

History**Dimensions** 28 X 48**Skirting Type** H**Skirting Lin Ft** 152**Tip Out Sq Ft** 0**Serial Number** NCFL356A119515W13

Manufacturer FLEETWOOD**Model** 2890**Color** GREY

OUTBUILDINGS			
Type/Dimn	Description	Type/Dimn	Description
RS1 012X10	UTILITY SHED - FRAME		

EXHIBIT

B

TIDEWATER

UTILITIES, INC.

A Middlesex Water Company Affiliate

December 7, 2015

Certified Mail 7011 0470 0000 2895 8550

Mr. Nauman Majeed
Integrated Business Recourses, Inc.
508 N. DuPont Highway
Dover, DE 19901

Dear Mr. Majeed,

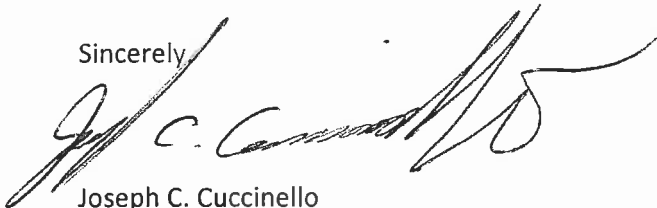
Tidewater Utilities Inc. (Tidewater) would like to thank you for the receipt of your signed petition requesting Tidewater to provide water service to your property, 3-00-02700-01-4107 located in Kent County.

Tidewater will be submitting an application for a Certificate of Public Convenience and Necessity (CPCN) with the Public Service Commission (PSC) on or about January 5, 2016. Included with this letter is information that we are required to provide to all landowners within a proposed service territory prior to filing the application for a CPCN.

When the CPCN is granted, Tidewater will have the permission to provide public water service to your parcel. It is important for you, as the landowner, to know that when water service is made available to your parcel you are not obligated to connect to our water system as long as your current water supply is functioning properly. If you agree to have your property be part of this proposed service area, no action on your part is required at this time. If you do not agree to have your property be part of this proposed service area you will need to complete the enclosed opt out/object form and send it back to the address on top of the form.

If you have any questions in regards to this matter please feel free to contact me at 1-877-720-9272 ext. 1014.

Sincerely,



Joseph C. Cuccinello
CPCN Coordinator

"Southern Delaware's Premier Water Company Since 1964"

Tidewater Utilities, Inc. 1100 South Little Creek Road, Dover, DE 19901 www.tuiwater.com
(800) 523-7224 (302) 734-7500 Tel. (302) 734-9297 Fax

YOU SHOULD READ THIS NOTICE CAREFULLY.

Public records list you as a landowner of the property with the following tax map parcel identification number(s):«ParcelID». Within thirty-five (35) days, Tidewater Utilities, Inc. (TUI) plans to file an application with the Delaware Public Service Commission requesting a Certificate of Public Convenience and Necessity (Certificate) to provide water service to a new territory described as BRENFOR ROAD.

TUI HAS INCLUDED HAS INCLUDED YOUR PROPERTY IN THE TERRITORY IT INTENDS TO SERVE. TIDEWATER UTILITIES, INC. ESTIMATES THAT IT WILL PROVIDE WATER SERVICE TO 2759 BRENFOR ROAD, WHICH IS LOCATED ABOUT 506 FEET NORTH EAST OF THE INTERSECTION OF HERITAGE TRACE DRIVE AND BRENFOR ROAD. IMMEDIATELY AFTER COMPELETION OF THE CONNECTION APPLICATION PROCESS AS PER THE EMERGENCY WAVIER GRANTED BY THE PUBLIC SERVICE COMMISION ON NOVEMBER 25, 2015.

IF YOU DO NOT TAKE ANY ACTION NOW, YOU MAY LOSE YOUR CHOICE OF WHO CAN PROVIDE WATER SERVICE TO YOUR PROPERTY AND WHETHER YOU CAN OBTAIN A WELL PERMIT.

- 1) You may choose to be included in the utility's proposed service territory. If you signed a petition for water service asking to be included in the utility's proposed service territory, [or, if you did not sign a petition for water service but want to be included, you do not have to take any action.
- 2) You have the right to "opt-out" of the utility's proposed service territory. If you "opt-out", your property will not be included in the utility's service territory. You can do this even though others in Brenford Road might desire water service from the utility. You should understand that being included in a utility's service territory does not mean that public water service will be immediately available to your property or that, when available; you will be required to hook-up to the public water system. However, if your property is included in the utility's water service territory, and later the water from the well providing your drinking water cannot be used, the Department of Natural Resources and Environmental Control might deny you a permit for a new well if public water is available to your property. On the other hand, if you elect to "opt-out" of the utility's service territory, but later change your mind and decide to connect to the utility's public water system, you could be charged additional fees.
- 3) You may object to the Public Service Commission granting a Certificate for Brenford Road. For example, you may object that the water utility does not have the legal right to serve the territory. You should review the law about what a utility must provide in order to obtain a Certificate (contact the Public Service Commission to obtain a copy of the law). If you file such an objection, you will need to tell the Public Service Commission why the utility should not receive the Certificate. Please note that an objection will not remove your property from a proposed service territory. To remove your property from the service territory, you must request to "opt-out."

Attached to this letter is a form which allows you (and other owners of the property) to exercise your options. You have seventy-five (75) days from your receipt of this notice to file your objection with the Commission. Although you may exercise your right to "opt-out" of the utility's service territory at any time before the Certificate is granted, if you choose to opt-out, it is requested that you complete the form and return it to the Public Service Commission at the address listed below within seventy-five (75) days from the date you receive this notice:

Delaware Public Service Commission
861 Silver Lake Boulevard
Cannon Building, Suite 100
Dover, Delaware 19904

If you want to “opt-out” or object, you must send the completed form to the Public Service Commission, even if you already informed the utility of your intent to “opt-out” or object.

If you have any questions, comments or concerns, please contact the Public Service Commission at (302) 736-7500 (in Delaware, call 800-282-8574).

PROPERTY OWNER OPT-OUT/OBJECT FORM

Delaware Public Service Commission
861 Silver Lake Boulevard
Cannon Building, Suite 100
Dover, Delaware 19904

Dear Delaware Public Service Commission:

I/We are the recorded property owner(s), according to current tax records, for the following property/properties: 2759 Brenford Road, Smyrna, DE 19977

Tax Map Parcel Identification Number(s): 3-00-02700-01-4107

We received a notice from *Tidewater Utilities, Inc.* that it plans to file an application with the Delaware Public Service Commission for a Certificate of Public Convenience and Necessity (Certificate) to provide water service to a proposed service territory described by Tidewater Utilities, Inc. as Brenford Road (hereafter, "Proposed Service Territory").

_____ As permitted by applicable law, I hereby opt-out of *Tidewater Utilities, Inc.*'s proposed service territory. I understand that by opting out of the Proposed Service Territory, I may be charged additional fees if I later change my mind and choose to be included in the Proposed Service Territory and receive water service from *Tidewater Utilities, Inc.*

_____ I hereby object to the *Tidewater Utilities, Inc.*'s application for the Certificate of Public Convenience and Necessity. I understand that by objecting to the *Tidewater Utilities, Inc.*'s application I am not merely objecting to being included in the Proposed Service Territory (in which case, I may merely opt out as permitted by electing to opt out above), but rather am objecting to the Commission authorizing the *Tidewater Utilities, Inc.* to provide water service to *any territory* within the Proposed Service Territory, including, but not limited to, my own property. The basis of my objection is as follows:

Property Owner(s): *Property Owner Name* _____

Property Owner Address _____

Owner's Signature: _____ Date: _____

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature X <i>[Signature]</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
1. Article Addressed to: Nauman Majeed Integrated Business Resources, Inc. 508 N. Dupont Hwy Dover, DE 19901		B. Received by (Printed Name) <i>Nauman Majeed</i> C. Date of Delivery <i>12-8-15</i> D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
2. Article Number (Transfer from service label)		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
PS Form 3811, February 2004		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
		7011 0470 0000 2895 8550	
Domestic Return Receipt		102595-02-M-1540	

U.S. Postal Service TM	
CERTIFIED MAIL TM RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$ 4.85
Certified Fee	3.40
Return Receipt Fee (Endorsement Required)	0.80
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 9.05
Postmark 31 DEC 07 2015 DE	
Sent To Nauman Majeed Integrated Bus. Street, Apt. No., or PO Box No. 508 N. Dupont Hwy City, State, ZIP+4 Dover, DE 19901	
PS Form 3800, August 2006 See Reverse for Instructions	

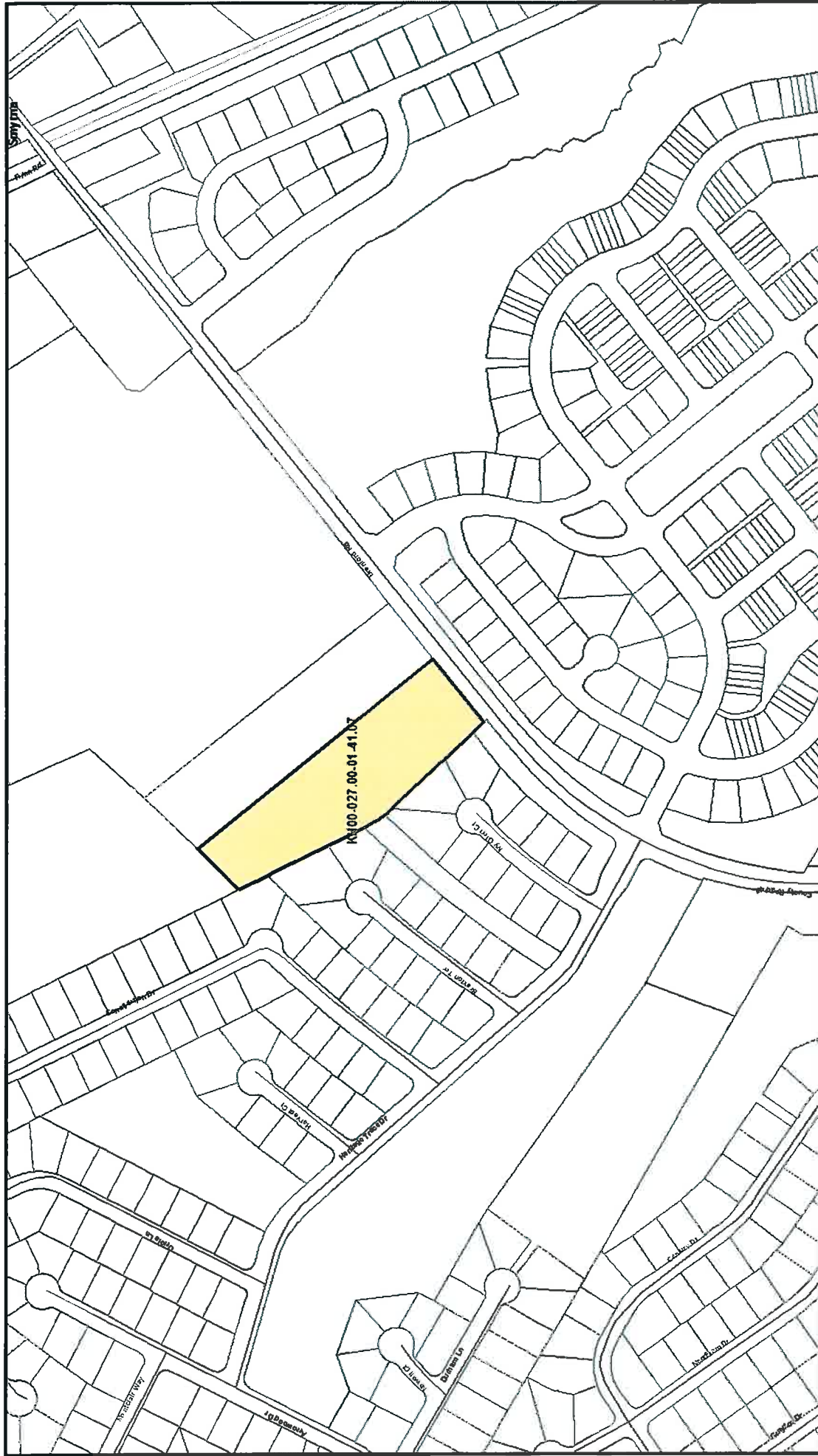
EXHIBIT

C

Exhibit C

Proposed Service Area **Tax Map Parcel Numbers** **Acres** **Owners**

Service Area 1	3-00-02700-01-4107	3.90	Integrated Business Resources, LLC 508 N. DuPont Hwy Dover, DE 19901
<p>- Parcel 3-00-02700-01-4107 is an individual parcel located on the northwest side of Brenford Road and approximately 506' North East of the intersection of Heritage Trace Road.</p>			



A-15-003
1 inch = 250 feet
Map 1

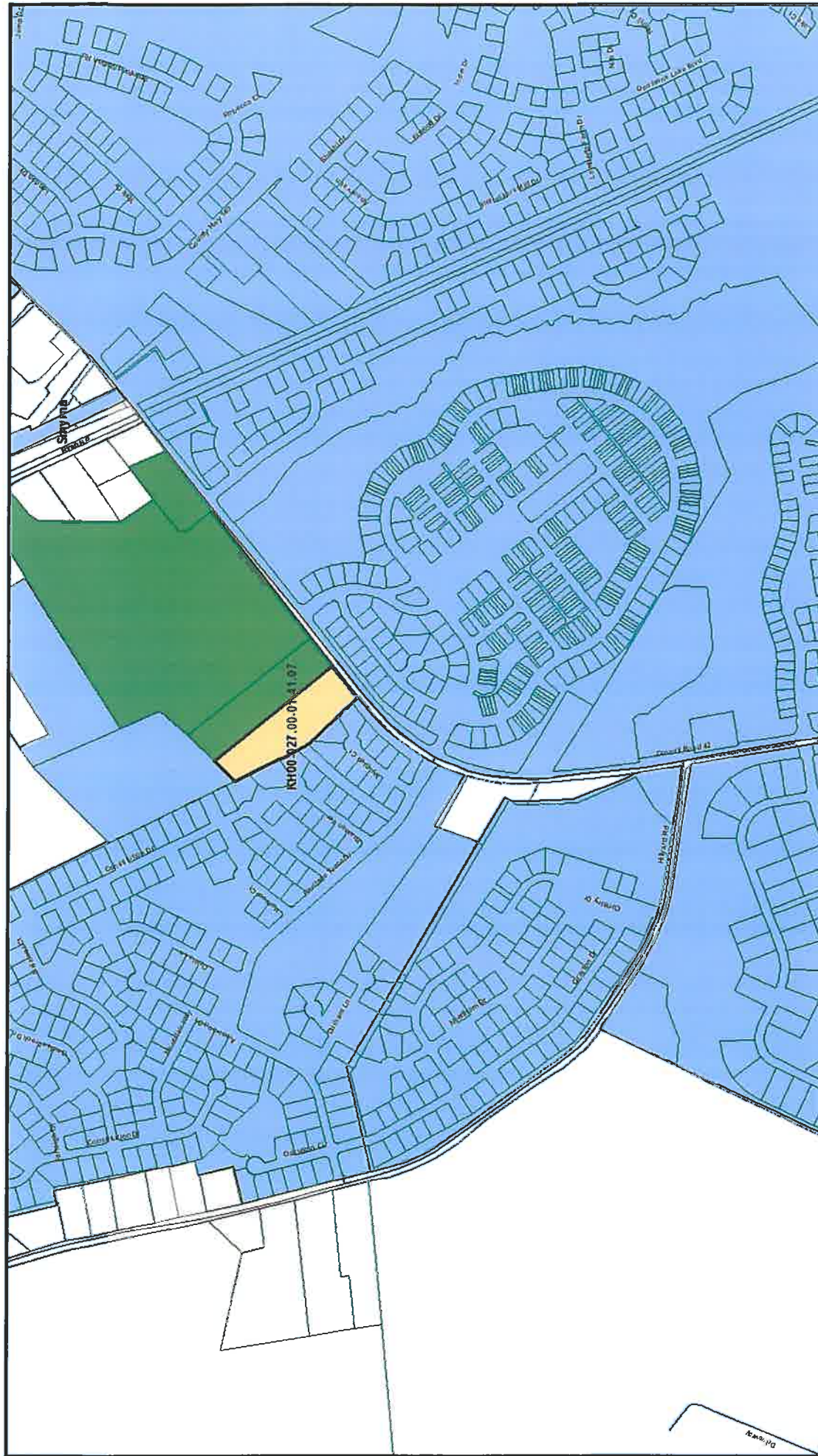


CPCN APPLICATION MAP WATER
Integrated Business - Brenford Rd
Kent County, DE

TIDEWATER UTILITIES, INC.
A Middlesex Water Company Affiliate

The boundaries information shown herein
has been compiled from various sources
and is not intended to be used as a legal
description of any property. The boundaries
of the subject property are shown by a
dashed line.

PRINT DATE: 04/12/2016
DATE OF COMPLETION: MAR 13, 2017
BY: [Signature]
PROJECT: [Project Name]



PRINT DATE 01/14/2016

DATE OF COMPLETION JAN 13, 2007
SHEET LAYOUT BASED ON THE 08/04/06
DATE PLANS COORDINATE SYSTEM

THE INFORMATION ON THIS MAP IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE INFORMATION ON THIS MAP IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE INFORMATION ON THIS MAP IS NOT TO BE USED FOR ANY OTHER PURPOSE.

TIDEWATER
UTILITIES, INC.

A Midatlantic Water Company Affiliate

CPCN APPLICATION MAP WATER **Integrated Business - Brenford Rd** **Kent County, DE**

LEGEND



A-15-003
1 inch = 500 feet
Overview

EXHIBIT

D

Plan of Service

Tidewater Utilities, Inc. (Tidewater) intends to provide water service immediately, per the emergency wavier granted by the Public Service Commission on November 25, 2015, to 2759 Brenford Road, Smyrna, DE. This parcel is located within Tidewater's Garrison Lake Water District. Tidewater owns and operates a series of water production and storage facilities which provides water to the Garrison Lake Water District. This parcel will be served water from Tidewater's existing 12-inch water main, located on the southeast side of Brenford Road. Tidewater has already completed the water service connection to 2759 Brenford Road and is now in the process of completing the Certificate of Public Convenience and Necessity application as stated in the emergency wavier.